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Attorneys for Defendant

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

T.T., a minor, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

SUPERCELL, INC.,

Defendant.

Case No. 4:22-cv-03196-HSG

**STIPULATION AND ORDER TO
AMEND COMPLAINT (AS MODIFIED)**

1 Pursuant to Federal Rule of Civil Procedure 15(a)(2) and Civil Local Rule 7-12, Plaintiff
2 T.T. (“Plaintiff”) and Defendant Supercell, Inc. (“Defendant”) (collectively with Plaintiff, the
3 “Parties”), by and through their respective counsel, stipulate and agree as follows.

4 WHEREAS, on June 1, 2022, Plaintiff filed his Complaint against Defendant (ECF No. 1);

5 WHEREAS, on August 26, 2022, Defendant filed a Motion to Dismiss Plaintiff’s
6 Complaint (ECF No. 27);

7 WHEREAS, on September 23, 2022, Plaintiff filed his Opposition to Defendant’s Motion
8 (ECF No. 36);

9 WHEREAS, on September 30, 2022, Defendant filed its Reply in support of its motion to
10 dismiss (ECF No. 37);

11 WHEREAS, on March 17, 2023, the Court issued an order granting the motion to dismiss
12 as to Plaintiff’s claim under the UCL’s fraudulent prong and as to Plaintiff’s request for injunctive
13 relief, but otherwise denied the motion (ECF No. 46);

14 WHEREAS, on April 21, 2023, Defendant filed its Answer to Plaintiff’s Complaint, in
15 which it identified Supercell OY as a mobile video game development company whose games
16 include Brawl Stars, Clash of Clans, and Clash Royale, and a party to the Terms of Service relied
17 on in Plaintiff’s Complaint (ECF No. 48);

18 WHEREAS, on June 8, 2023, the Court issued a scheduling order giving the Parties until
19 June 20, 2023 to amend the pleadings (ECF No. 55);

20 WHEREAS, counsel for Plaintiff has advised that Plaintiff wishes to amend his Complaint to add
21 Supercell OY and remove references to the UCL fraudulent prong and injunctive relief, and intends
22 to do so by June 20, 2023;

23 WHEREAS, Defendant does not oppose amendment of the Complaint, with the
24 understanding that the parties agree Defendant’s non-opposition to the proposed amendment of the
25 Complaint is without waiver of any and all rights of Defendant and Supercell Oy to object to,
26 challenge, or otherwise respond to the amended complaint consistent with the Federal Rules of
27 Civil Procedure and the Court’s Local Rules, including without limitation a response to the
28 complaint under Fed. R. Civ. P. 12, which are hereby expressly reserved;

WHEREAS, Plaintiff has not previously amended his Complaint. The Court has not stated that amendment of the pleadings will not be granted in this matter.

NOW THEREFORE, THE FOLLOWING IS HEREBY STIPULATED:

1. Plaintiff may amend and file an amended complaint by June 20, 2023.

Dated: June 21, 2023

BURSOR & FISHER, P.A.

By: /s/ L. Timothy Fisher

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Attorney for Plaintiff

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By: /s/ Ryan Tyz
Ryan Tyz

Attorneys for Defendant

ATTESTATION OF CONCURRENCE IN FILING

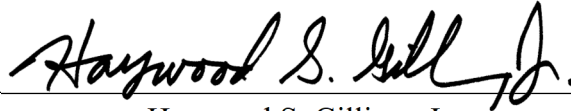
Pursuant to N. D. Cal. L.R. 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from counsel for Defendant.

/s/ L. Timothy Fisher

ORDER

The Court **GRANTS** the stipulation to amend the complaint. The amended complaint that Plaintiff filed at Dkt. No. 58 is now the operative complaint in this case.

Dated: 6/21/2023

A handwritten signature in black ink, reading "Haywood S. Gilliam, Jr.", is written over a horizontal line.

Haywood S. Gilliam, Jr.
United States District Judge